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| 09/828,191 | 04/09/2001 | Anthony V. Pugliese, III | 954.35718VX3 | 1029 |
| 20457 | 7590 | 07/29/2005 | EXAMINER | |
| ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-3873 | | | SALIARD, SHANNON S | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3639 | |

DATE MAILED: 07/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|------------------------------|------------------------|---------------------|--|
| | 09/828,191 | PUGLIESE, ET AL. | |
| Examiner | Art Unit | | |
| Shannon S. Saliard | 3639 | | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 4/09/2001.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 27-82 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 27-82 is/are rejected.

7) Claim(s) 46 and 48 is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/01.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) Notice of Informal Patent Application (PTO-152)
6) Other: _____

DETAILED ACTION

Priority

1. Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 120 as follows:

This application is claiming the benefit of a prior filed nonprovisional application under 35 U.S.C. 120, 121, or 365(c). Copendency between the current application and the prior application is required.

Information Disclosure Statement

2. The listing of references in the Search Report is not considered to be an information disclosure statement (IDS) complying with 37 CFR 1.98. 37 CFR 1.98(a)(2) requires a legible copy of: (1) each foreign patent; (2) each publication or that portion which caused it to be listed; (3) for each cited pending U.S. application, the application specification including claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion, unless the cited pending U.S. application is stored in the Image File Wrapper (IFW) system; and (4) all other information, or that portion which caused it to be listed. In addition, each IDS must include a list of all patents, publications, applications, or other information submitted for consideration by the Office (see 37 CFR 1.98(a)(1) and (b)), and MPEP § 609 subsection III. A(1) states, "the list ... must be submitted on a separate paper." Therefore, the references cited in the Search Report have not been considered. Applicant is advised that the date of submission of any item of information or any

missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the IDS, including all "statement" requirements of 37 CFR 1.97(e). See MPEP § 609 subsection III. C(1). Copies of the non-patent literature publications were not submitted with the application. Therefore, the non-patent literature cited in the IDS has not been considered.

Claim Objections

3. **Claims 46 and 48** are objected to because of the following informalities: claims 46 and 48 depend on claim 20. However, the claims have been amended, canceling claim 20. Appropriate correction is required. For the purposes of this review the examiner will interpret claims 46 and 48 to be "as defined in claim 27."

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 27, 46, 56, 60, 64, 68, 69, 71-74, 77, 80 and 81** are rejected under 35 U.S.C. 102(b) as being anticipated by Pugliese, III [U.S. Patent No. 6,044,353].

As per **claims 27 and 60**, Pugliese, III discloses a method of validating a reservation for an airline flight, in order to eliminate the need for paper tickets, said method comprising the steps of: making a reservation for a particular individual who has

a reusable personal identification card having stored thereon identification information corresponding to the individual but no specific reservation or flight information (col 5, lines 61-67; col 6, lines 1-14); storing reservation data, which identifies the individual and the particular airline flight for which the reservation has been made, in a reservation data storage area of a central data bank, including creating in the central data bank a passenger record for an individual who makes a reservation for an airline flight, said passenger record including reservation fields each relating to a respective flight for which said individual has made a flight reservation, each reservation field including information indicating a flight number, a flight departure date, a flight departure time, and a gate number for the flight (col 10, lines 25-43); reading the personal identification card of the individual at a selected location in an airline terminal to verify the reservation for the particular airline flight, by accessing the reservation data in the passenger record of the individual stored in the central data bank, and effect automatic validation at the selected location to permit the individual to board the airline flight without requiring a paper ticket; and issuing a boarding pass to the individual to allow the individual to board the airline flight without presenting an airline ticket after the personal identification card is read and the reservation has been verified (col 1, lines 50-60); wherein a passenger record in said central data bank also includes frequent flier information, for individuals who are a member of an airline frequent flier program, including a current record of frequent flier miles accumulated by the individual (col 10, lines 28-43).

As per **claim 46**, Pugliese, III further discloses further including the steps of: storing information in the central data bank indicating that the individual has checked baggage to be carried by the particular airline flight when the individual checks baggage at the airline terminal prior to boarding the airline flight; storing information in the central data bank for each individual who boards the particular airline flight indicating that the individual has boarded; and comparing the information in the central data bank which identifies individuals who have checked baggage for the particular airline flight with information in the central data bank which identifies individuals that have boarded the particular airline flight to determine whether any individual who has checked baggage has not boarded, before the particular airline flight departs (col 12, lines 41-46).

As per **claim 56**, Pugliese III further discloses wherein said passenger record further includes message information representing a message to a passenger from a third party, and further including the step of communicating a message from a passenger record to a remote computer terminal at which a personal identification card has been read to access said passenger record (col 7, lines 15-22).

As per **claim 64**, Pugliese III further discloses wherein said personal identification card is an airline card which is issued by an airline to allow a passenger to access the airline central data bank (col 1, lines 35-38).

As per **claim 68**, Pugliese III further discloses a method of validating a reservation for an airline flight, in order to eliminate the need for paper tickets, said method comprising the steps of: making a reservation for a particular airline flight for a particular individual who has a reusable personal identification card having stored

thereon identification information corresponding to the individual but no specific reservation or airline flight information (col 5, lines 61-67; col 6, lines 1-14); storing reservation data, which identifies the individual and the particular airline flight for which the reservation has been made, in a reservation data storage area of a central data bank, including creating in the central data bank a passenger record for an individual who makes a reservation for an airline flight, said passenger record including the name of the individual, graphic data identifying the individual and reservation fields each relating to a respective flight for which said individual has made a flight reservation, each reservation field including information indicating a flight number, a flight departure date, a flight departure time, and a gate number for the flight (col 2, lines 39-48); reading the personal identification card of the individual at a selected location in an airline terminal to verify the reservation for the particular airline flight, by accessing graphic data and reservation data stored in a passenger record in the central data bank, and to verify the identity of the individual who presents the card on the basis of the accessed graphic data, thereby to effect automatic validation at the selected location to permit the individual to board the airline flight without requiring a paper ticket (col 11, lines 40-45); and issuing a boarding pass to the individual to allow the individual to board the airline flight without presenting an airline ticket after the personal identification card is read and the reservation has been verified (col 1, lines 50-60).

As per **claim 69**, Pugliese III further discloses wherein said graphic data represents a photo of said individual, and further including the step of displaying the graphic data at the selected location (col 11, lines 40-45).

As per **claims 71, 72, 80, and 81** Pugliese III further discloses wherein said graphic data is fingerprint and retina scan identifying data of said individual, and further including the step of comparing the received graphic data with a fingerprint and retina scan of the individual at the selected location (col 10, lines 62-67; col 11, lines 1-15).

As per **claim 73**, Pugliese III discloses an airline reservation and authorization system for making a reservation for a particular individual for a particular flight and for allowing said individual to board said particular flight and to access services and purchase goods on said flight using only personal identification information, and without issuing an airline ticket to said individual, said system comprising: a central storage for storing reservation data concerning a predetermined flight and personal information which relates a particular individual, who has made a reservation for the predetermined flight, to the stored reservation data (col 10, lines 25-43); an identification card for accessing reservation data from said central storage, said card comprising storage means for storing information personal to an individual to identify that individual and not information concerning an airline flight for which the individual may make a reservation (col 1, lines 35-42); communication units located at sites remote from said central storage at which reservation information may be accessed by airline personnel from said central storage, said communication units each comprising means for providing a telecommunication connection with said central storage to verify reservation information on site and an identification card reader for reading the magnetic means on an identification card to identify an individual to the central storage, which central storage includes means responsive to personal information received from a remote site via said

telecommunication means for verifying a reservation and authorizing the identified individual to board the airline flight without requiring the individual to present an airline ticket (col 9, lines 65-67; col 10, lines 1-15); and an automatic teller machine at a publicly accessible location for providing information to an individual relating to an airline flight for which said individual has a reservation, said automatic teller machine comprising a card reader, a display terminal, a telecommunication unit responsive to personal information read from an identification card for accessing flight information in said central storage relating to a flight for which the card holder has a reservation to verify that reservation and for displaying said flight information, and means for issuing a boarding pass to said individual when said reservation has been verified (col 10, lines 9-19 and lines 54-57).

As per **claim 74**, Pugliese III further discloses wherein said central storage stores frequent flier information, for individuals who are a member of an airline frequent flier program, including a record of frequent flier miles accumulated by each individual (col 10, lines 28-43).

As per **claim 77**, Pugliese III further discloses wherein said publicly accessible location of said automatic teller machine is in an airline terminal (col 3, lines 62-66).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3639

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. **Claims 28-45, 61, 62, 65, 66, 70, 75, 78, and 79** are rejected under 35 U.S.C. 103(a) as being unpatentable over Pugliese, III [U.S. Patent No. 6,044,353] in view of Sehr [U.S. Patent No. 6,085,976].

As per **claims 28 and 32**, Pugliese III discloses a method of validating a reservation for an airline flight, in order to eliminate the need for paper tickets, said

method comprising the steps of: making a reservation for a particular individual who has a reusable personal identification card having stored thereon identification information corresponding to the individual but no specific reservation or flight information (col 6, lines 61-67; col 6, lines 1-14); storing reservation data, which identifies the individual and the particular airline flight for which the reservation has been made, in a reservation data storage area of a central data bank, including creating in the central data bank a passenger record for an individual who makes a reservation for an airline flight, said passenger record including reservation fields each relating to a respective flight for which said individual has made a flight reservation, each reservation field including information indicating a flight number, a flight departure date, a flight departure time, and a gate number for the flight (col 2, lines 39-48); reading the personal identification card of the individual at a selected location in an airline terminal to verify the reservation for the particular airline flight, by accessing the reservation data in the passenger record of the individual stored in the central data bank, and effect automatic validation at the selected location to permit the individual to board the airline flight without requiring a paper ticket; and issuing a boarding pass to the individual to allow the individual to board the airline flight without presenting an airline ticket after the personal identification card is read and the reservation has been verified (col 1, lines 50-60); wherein a passenger record in said central data bank also includes frequent flier information, for individuals who are a member of an airline frequent flier program, including a current record of frequent flier miles accumulated by the individual (col 10, lines 28-43). Pugliese III does not disclose further including the steps of: selling a

product or service to an individual who is a member of an airline frequent flier program for a specified cost; accessing the passenger record of the individual in said central data bank; and debiting the current record of frequent flier miles by a number of miles equal to the specified cost of said product or service to pay for the product or service, so that the individual may purchase the product or service without tendering cash. However, Sehr discloses selling a product or service to an individual who is a member of an airline frequent flier program for a specified cost and debiting the current record of frequent flier miles, so that the individual may purchase the product or service without using cash (col 21, lines 22-27). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to modify the invention of Pugliese III to include the methods disclosed by Sehr. Sehr provides the motivation that card-based payment means offers convenience for passengers, as well as the potential for lower administrative costs and increased passenger loyalty (col 2, lines 19-23 and lines 47-50).

As per **claim 37**, Pugliese III does not disclose wherein said service is providing a video display of data for viewing by the passenger at his or her seat on an airplane. However, Sehr discloses that a passenger can view a video at his or her seat on an airplane (col 21, lines 22-27). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to modify the invention of Pugliese III to include the methods disclosed by Sehr. Sehr provides the motivation that card-based payment means offers convenience for passengers, as well as the potential for lower

administrative costs and increased passenger loyalty (col 2, lines 19-23 and lines 47-50).

As per **claims 29-31**, Sehr does not explicitly disclose wherein said product is a beverage, publication, or food sold on an airplane. As per **claims 33-36**, Sehr does not explicitly disclose wherein said service is providing a telephone connection between the individual while riding in an airplane and a third party located outside the airplane, providing a telephone connection between the individual while riding in an airplane and a third party located in the same airplane, providing a telephone connection between the individual while in the airline terminal and a third party located outside the airline terminal, or providing a telephone connection between the individual through the remote computer terminal at the airline terminal and a third party located outside the airline terminal. As per **claims 38-43**, Sehr does not explicitly disclose wherein said service is a video display of data is a real-time video image of another passenger on the airplane, a video display of data is a video game, a video game is displayed simultaneously at plural seats so that at least two passengers may participate in the video game at the same time, a video game is a bingo game run by the airline, a video game is a card game, a video game is a board game. As per **claims 44 and 45**, Sehr does not explicitly disclose wherein said service is providing a selected audio program to a passenger at his or her seat during an airline flight or renting equipment to a passenger for use at his or her seat during an airline flight. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to make it possible for passengers to use the passenger card to access frequent flier miles to pay for any

variety of products or services available on an airplane. This method of payment would offer convenience to passengers as well as minimize the handling of cash by flight attendants.

As per **claims 61 and 70**, Pugliese III does not disclose wherein said personal identification card has a picture of the individual thereon. However, Sehr discloses a personal identification card that has a picture of the individual thereon (col 23, lines 23-26). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to modify the invention of Pugliese III to include the methods disclosed by Sehr. Sehr provides the motivation that the cardholder's identity can be verified at the passenger station by a travel representative for authorizing admission for boarding purposes.

As per **claims 62 and 66**, Pugliese III further discloses wherein said personal identification card has a first magnetic stripe on which said identification information corresponding to the individual is stored (col 1, lines 40-42). Pugliese III does not explicitly disclose a second magnetic stripe on which credit account information for a credit account of the individual is stored. However, Sehr discloses that personal identification and credit card information is stored with the passenger record (col 8, lines 29-34), which indicates that the personal identification and credit card information can be stored by the same means. It would have been obvious to one of ordinary skill in the art, at the time of the invention, to store personal identification information on one magnetic stripe and credit card account information on another.

As per **claim 65**, Pugliese III does not disclose wherein said personal identification card is a bank-type credit card. However, Sehr discloses a personal identification card that is a bank-type credit card (col 10, lines 45-50). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to modify the invention of Pugliese III to include the methods disclosed by Sehr. Sehr provides motivation that the card can be authorized to be used as a payment option indicating that the user would not have to issue other means of identification for payment transactions.

As per **claim 75**, Pugliese does not disclose wherein at least one communication unit is located on an airplane, so that airline personnel on the airplane can access said central storage using an identification card of a passenger to transfer to said central storage a request to debit the record of frequent flier miles of said passenger in payment for goods or services offered to said passenger by the airline. However, Sehr discloses an identification card of a passenger that is used as payment for goods or services offered to the passenger by the airline by accessing the passenger record which includes frequent traveler points while in-flight (col 14, lines 52-60; col 21, lines 22-27). Sehr does not explicitly disclose that there is a communication unit located on an airplane to debit frequent flier miles. However, it is inherent that if the passenger is using the passenger card as payment onboard an aircraft that there has to be a communications unit available to debit the frequent flier miles from the passenger record in the central database.

As per **claim 78**, Pugliese III does not disclose wherein said publicly accessible location of said automatic teller machine is in a hotel. However, Sehr discloses an automatic teller machine located in a hotel (col 37, lines 63-67). Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the invention disclosed by Pugliese III to include the methods disclosed by Sehr for convenience in accessing the passenger record.

As per **claim 79**, Pugliese III does not disclose wherein said publicly accessible location of said automatic teller machine is in a business office building. However, Sehr discloses an automatic teller machine located in an office building (col 39, lines 33-37). Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the invention disclosed by Pugliese III to include the methods disclosed by Sehr for convenience in accessing the passenger record.

6. **Claims 47-54** are rejected under 35 U.S.C. 103(a) as being unpatentable over Pugliese III [U.S. Patent No. 6,044,353] in view of Bravman et al [U.S. Patent No. 5,401,944].

As per **claims 47 and 54**, Pugliese III discloses a method of validating a reservation for an airline flight, in order to eliminate the need for paper tickets, said method comprising the steps of: making a reservation for a particular individual who has a reusable personal identification card having stored thereon identification information corresponding to the individual but no specific reservation or flight information (col 5, lines 61-67; col 6, lines 1-14); storing reservation data, which identifies the individual

and the particular airline flight for which the reservation has been made, in a reservation data storage area of a central data bank, including creating in the central data bank a passenger record for an individual who makes a reservation for an airline flight, said passenger record including reservation fields each relating to a respective flight for which said individual has made a flight reservation, each reservation field including information indicating a flight number, a flight departure date, a flight departure time, and a gate number for the flight (col 10, lines 25-43); reading the personal identification card of the individual at a selected location in an airline terminal to verify the reservation for the particular airline flight, by accessing the reservation data in the passenger record of the individual stored in the central data bank, and effect automatic validation at the selected location to permit the individual to board the airline flight without requiring a paper ticket; and issuing a boarding pass to the individual to allow the individual to board the airline flight without presenting an airline ticket after the personal identification card is read and the reservation has been verified (col 1, lines 50-60); wherein a passenger record in said central data bank also includes frequent flier information, for individuals who are a member of an airline frequent flier program, including a current record of frequent flier miles accumulated by the individual (col 10, lines 28-43). He further discloses further including the steps of: storing information in the central data bank indicating that the individual has checked baggage to be carried by the particular airline flight when the individual checks baggage at the airline terminal prior to boarding the airline flight; storing information in the central data bank for each individual who boards the particular airline flight indicating that the individual has

boarded; and comparing the information in the central data bank which identifies individuals who have checked baggage for the particular airline flight with information in the central data bank which identifies individuals that have boarded the particular airline flight to determine whether any individual who has checked baggage has not boarded, before the particular airline flight departs (col 12, lines 41-46). Pugliese III does not disclose further comprising the steps of: creating in the central data bank an airline flight record which identifies all individuals holding reservations for a particular airline flight, said airline flight record further including an indication whether an individual listed for the particular airline flight has checked baggage for the flight and an indication whether said individual has boarded the flight; and updating said airline flight record when said central data bank receives information that an individual has checked baggage and when that individual has boarded the airline flight. However, Bravman et al discloses creating an airline flight record which identifies all individuals holding reservations for a particular airline flight, and the passengers that have checked baggage for the flight to compare against and indicate that the individual has boarded the flight (col 9, lines 4-27). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Pugliese III to include the methods disclosed by Bravman et al. Bravman et al provides motivation that the security risk of an individual checking baggage without boarding the plane is minimized (col 2, lines 3-5).

As per **claim 48**, Pugliese III does not disclose further including the steps of: reading passenger identification indicia on said boarding pass at a gate for said airline flight as said individual is boarding the flight; and communicating said passenger

identification indicia read from said boarding pass to said central data bank to store information indicating that said individual has boarded the flight. However, Bravman et al discloses that passenger identification indicia on the boarding pass is read at a gate to update the passenger record to indicate that the individual has boarded the flight (col 2, lines 4-15). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Pugliese III to include the methods disclosed by Bravman et al to facilitate verification and comparison of the information in the database with the information on the boarding pass.

As per **claim 49**, Pugliese III does not disclose wherein said passenger identification indicia appears on said boarding pass as printed matter and is read by an optical reader. However, Bravman et al discloses that the passenger identification data on the boarding pass is read by an optical reader (col 4, lines 63-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Pugliese III to include the methods disclosed by Bravman et al. Bravman et al provides motivation indicating that identification indicia that appears on the boarding pass can be in any form so long as the data is advantageously employed (col 4, lines 46-48).

As per **claim 50**, Pugliese III does not disclose wherein said passenger identification indicia appears on said boarding pass as a bar code which is read by a bar code reader. However, Bravman et al discloses that the passenger identification data on the boarding pass is read by a bar code reader (col 7, lines 50-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to

modify the invention of Pugliese III to include the methods disclosed by Bravman et al since bar codes contain sufficient storage space for information, and can be easily read and the data transmitted to a central database in a fairly short period of time.

As per **claim 51**, Bravman et al does not explicitly disclose that the passenger identification indicia is magnetically stored on said boarding pass and is read by a magnetic reader. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to store identification indicia on the boarding pass in any form so long as it is advantageous to the airline as suggested by Bravman et al (col 4, lines 46-48).

As per **claim 52**, Pugliese III does not disclose wherein said passenger identification indicia is the name of the individual. However, Bravman et al discloses that the passenger identification data on the boarding pass is the name of the individual (col 7, lines 50-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Pugliese III to include the methods disclosed by Bravman et al for passenger recognition.

As per **claim 53**, Pugliese III does not disclose wherein said passenger identification indicia is a passenger identification number. However, Bravman et al discloses that the passenger identification indicia is a passenger identification number (col 7, lines 50-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Pugliese III to include the factors disclosed by Bravman et al for passenger recognition that is not easily identifiable by unauthorized individuals.

As per **claim 55**, Pugliese does not explicitly disclose wherein a passenger record in said central data bank also includes frequent flier information, for individuals who are a member of an airline frequent flier program, including a current record of frequent flier miles accumulated by the individual, and further including the step of updating the record of accumulated frequent flier miles in the passenger record of an individual when the individual boards an airline flight, as indicated by passenger identification indicia read from a boarding pass at the gate of a flight and communicated to said central data bank (col 10, lines 28-43). However, it would have been obvious to one of ordinary skill in the art at the time of the invention to update the record of frequent flier miles in the passenger record as the individual boards the flight. An automatic update of frequent flier miles based on the data read from the boarding pass would reduce the labor required to update the frequent flier record after the passenger has taken the flight.

7. **Claims 57-59, 63 and 82** are rejected under 35 U.S.C. 103(a) as being unpatentable over Pugliese, III [U.S. Patent No. 6,044,353].

As per **claim 57**, Pugliese discloses a method of validating a reservation for an airline flight, in order to eliminate the need for paper tickets, said method comprising the steps of: making a reservation for a particular individual who has a reusable personal identification card having stored thereon identification information corresponding to the individual but no specific reservation or flight information (col 5, lines 61-67; col 6, lines 1-14); storing reservation data, which identifies the individual and the particular airline

flight for which the reservation has been made, in a reservation data storage area of a central data bank, including creating in the central data bank a passenger record for an individual who makes a reservation for an airline flight, said passenger record including reservation fields each relating to a respective flight for which said individual has made a flight reservation, each reservation field including information indicating a flight number, a flight departure date, a flight departure time, and a gate number for the flight (col 10, lines 25-43); reading the personal identification card of the individual at a selected location in an airline terminal to verify the reservation for the particular airline flight, by accessing the reservation data in the passenger record of the individual stored in the central data bank, and effect automatic validation at the selected location to permit the individual to board the airline flight without requiring a paper ticket; and issuing a boarding pass to the individual to allow the individual to board the airline flight without presenting an airline ticket after the personal identification card is read and the reservation has been verified (col 1, lines 50-60); wherein a passenger record in said central data bank also includes frequent flier information, for individuals who are a member of an airline frequent flier program, including a current record of frequent flier miles accumulated by the individual (col 10, lines 28-43). He further discloses wherein said passenger record further includes message information representing a message to a passenger from a third party, and further including the step of communicating a message from a passenger record to a remote computer terminal at which a personal identification card has been read to access said passenger record (col 7, lines 15-22). Pugliese III does not explicitly disclose wherein a message received at a remote

computer terminal is displayed on a display screen. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to display the message on a display screen at the remote computer for passenger viewing.

As per **claim 58**, Pugliese III does not explicitly disclose wherein a message received at a remote computer terminal is printed by a printer. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to enable the passenger to be able to print the message from the remote computer terminal for convenience. Printing at the remote computer allows the user to eliminate the use of airline personnel for printing messages that are available at the remote computer terminal.

As per **claim 59**, Pugliese III does not explicitly disclose wherein said message is stored in at least one of the reservation fields of said passenger record. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to store the message in a reservation field in the passenger record to be able to correlate a particular message with a particular passenger.

As per **claim 63**, Pugliese III does not disclose wherein said personal identification card has printed on the back thereof governmental regulations and liability information as required of Warsaw Pact countries. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the governmental regulations and liability information on the back of the identification card because Warsaw Pact countries require it.

As per **claim 82**, Pugliese III does not explicitly disclose wherein said communication units include a bar code reader. However, Pugliese III discloses that the identification card is read by a card reader. (col 1, lines 53-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a variety of methods to read the identification card. It is well known that bar codes contain significant amounts of data and are easily read by a scanner and can be uploaded into a database such as a passenger record.

8. **Claim 67** is rejected under 35 U.S.C. 103(a) as being unpatentable over Pugliese, III [U.S. Patent No. 6,044,353] in view of Feldman [U.S. Patent No. 5,864,818].

Pugliese III discloses a method of validating a reservation for an airline flight, in order to eliminate the need for paper tickets, said method comprising the steps of: making a reservation for a particular airline flight for a particular individual without either the travel agent or the airline issuing an airline ticket to the individual (col 5, lines 61-67; col 6 lines 1-14); storing reservation data, which identifies the individual and the particular airline flight for which the reservation has been made, in a reservation data storage area of a central data bank; transmitting personal identification information, which is obtained from the individual at a selected location of an airline terminal, to the central data bank, to verify the reservation for the particular airline flight, by accessing the reservation data stored in the central data bank, and to effect automatic validation at the selected location to permit the individual to board the airline flight without requiring

an airline ticket (col 10, lines 25-43); and issuing a boarding pass to the individual to allow the individual to board the airline flight without presenting an airline ticket after the personal identification information has been received from the selected location and the reservation has been verified; whereby access to airline flights can be effected without the need for issuing an airline ticket to the individual (col 1, lines 50-60). Pugliese III does not disclose that the travel agent receives payment for the airline flight on behalf of the individual and the travel agent's account is credited by an amount equal to a predetermined commission as soon as payment has been received on behalf of the individual. However, Feldman discloses that travel agent reserves a pre-scheduled activity for the passenger and the bank transmits payment to the travel agent for the reservation and appropriate commission (col 5, lines 14-17). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention disclosed by Pugliese III to include the methods disclosed by Feldman for convenience to the passenger and travel agent to minimize the number of transactions that must take place between multiple parties for ticket issuing and commission payment.

9. **Claim 76** is rejected under 35 U.S.C. 103(a) as being unpatentable over Pugliese, III [U.S. Patent No. 6,044,353] as applied to claims 73 and 74 above, and further in view of Sehr [U.S. Patent No. 6,085,976] in view of Weinberger et al [U.S. Patent No. 6,813,777].

Pugliese III discloses all the limitations of claims 73 and 74. Pugliese does not disclose further including a remote computer terminal provided at a passenger seat on an airplane for use by a passenger, said remote computer terminal including a card reader for reading personal information from an identification card of a passenger and a wire-less communication unit for sending personal information read from an identification card to access said central storage to debit the frequent flier miles of the passenger for payment of services offered to said passenger by the airline. However Sehr discloses that information can be read from a personal identification card to access central storage to debit frequent flier miles of the passenger for payment of services offered by the airline (col 8, lines 34-41). Weinberger et al discloses a remote computer terminal including a card reader for reading personal information from an identification card of a passenger and a wireless communication unit for sending personal information read from an identification card to access a database (col 39, lines 55-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Pugliese III to include the factors disclosed by Sehr and Weinberger et al. Sehr offers the motivation that card-based payment means provides convenience for passengers, as well as the potential for lower administrative costs and increased passenger loyalty (col 2, lines 19-23 and lines 47-50).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Goheen [U.S. Patent No. 5,724,520] discloses an "Electronic Ticketing and Reservation System and Method".

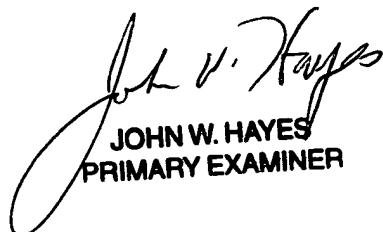
Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shannon S. Saliard whose telephone number is 571-272-5587. The examiner can normally be reached on Monday - Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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JOHN W. HAYES
PRIMARY EXAMINER